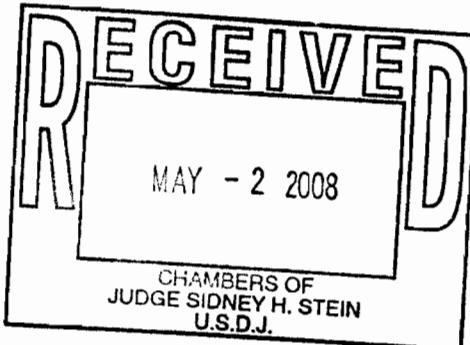
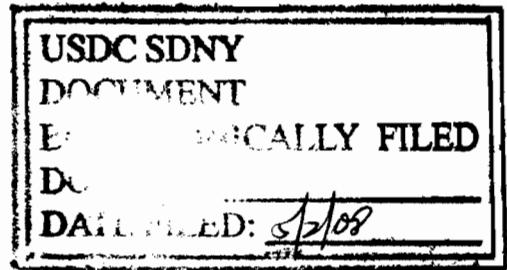


Morgan, Lewis & Bockius LLP  
 1701 Market Street  
 Philadelphia, PA 19103-2921  
 Tel: 215.963.5000  
 Fax: 215.963.5001  
[www.morganlewis.com](http://www.morganlewis.com)

**Seth Ptasiewicz**  
 Staff Associate  
 (215) 963-5405  
[sptasiewicz@morganlewis.com](mailto:sptasiewicz@morganlewis.com)  
 eFax: 877.432.9652  
 Admitted in New York and New Jersey only



**Morgan Lewis**  
 COUNSELORS AT LAW



April 30, 2008

**VIA EFILING AND OVERNIGHT MAIL**

Honorable Sidney H. Stein, U.S.D.J.  
 United States District Court  
 Southern District of New York  
 500 Pearl Street  
 New York, New York 10007

**MEMO ENDORSED**

Re: Friedman v. Prudential Insurance Company of America  
 Docket No.: 07 Civ. 9620 (SHS)  
Client-Matter No. 063331.0076

Dear Judge Stein:

This firm is counsel to Defendant Prudential Insurance Company of America ("Prudential") with reference to the above-captioned matter. I recently commenced my employment with this firm and have been assigned to handle this matter.

In accordance with Your Honor's Order of January 25, 2008, a copy of which is attached hereto, the parties filed cross motions for summary judgment on April 15, 2008. Plaintiff requested and was granted leave to file an oversized brief in support of his motion. Prudential did not oppose that request.

Responses to the cross motions are to be filed on May 6, 2008 with final replies to be filed on May 13, 2008. On behalf of my client, I would respectfully request that the briefing schedule be slightly modified to provide that responses are due by May 9, 2008 and final replies are due on May 16, 2008. The reason for this request is that in addition to my just recently commencing my employment with this firm, I am also scheduled to be out of the office over the next several days.

Additionally, since filing the motions, the parties have reopened a dialogue regarding settlement of this matter. To give the parties sufficient time to determine whether settlement is feasible and to avoid incurring additional attorney's fees in the interim, I suggested to plaintiff's

Honorable Sidney H. Stein, U.S.D.J.  
April 30, 2008  
Page 2

counsel, Michael Quiat, Esq. that a brief adjournment of the motion briefing schedule would be helpful. Mr. Quiat graciously consented to my request.

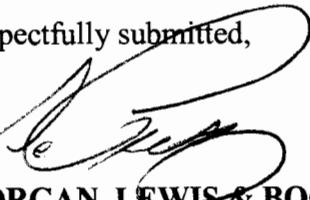
It is respectfully submitted that the short extension of the briefing schedule will allow me the opportunity to fully respond to plaintiff's motion, if necessary, as well as permit the parties to explore settlement without the necessity of incurring additional attorney's fees and costs.

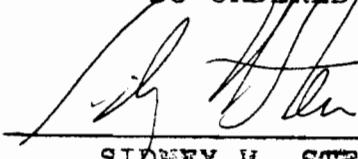
I would therefore respectfully request that Your Honor grant the relief sought herein and modify the dispositive motion briefing schedule as follows:

1. Responses to the summary judgment motions are due on or before May 9, 2008; and
2. Replies to the summary judgment motions are due on or before May 16, 2008.

I am available to discuss this matter in greater detail at (215) 963-5405, should Your Honor believe it would be helpful. On behalf of Prudential, I thank Your Honor for your anticipated courtesies and cooperation in this matter.

Respectfully submitted,

  
**MORGAN, LEWIS & BOCKIUS LLP**  
Seth Ptasiewicz  
SP/SP:ps  
Enclosure  
c: Michael Quiat, Esq. (via efilng and overnight mail)

SO ORDERED 5/2/08  
  
SIDNEY H. STEIN  
U.S.D.J.